

111TH CONGRESS
1ST SESSION

H. R. 1475

To amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2009

Mr. DAVIS of Illinois (for himself, Mr. AL GREEN of Texas, Mr. TOWNS, Mr. RUSH, Mr. LEWIS of Georgia, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Mrs. CHRISTENSEN, Ms. CORRINE BROWN of Florida, Mr. CUMMINGS, and Mr. CLAY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Prison Work
5 Incentive Act of 2009”.

1 **SEC. 2. RESTORATION OF FORMER GOOD TIME SYSTEM.**

2 (a) IN GENERAL.—Part III of title 18, United States
3 Code, is amended by inserting after chapter 307 the fol-
4 lowing:

5 **“CHAPTER 309—GOOD TIME ALLOWANCES**

“Sec.

“4161. Computation generally.

“4162. Industrial good time.

“4163. Discharge.

“4164. Forfeiture for offense.

“4165. Restoration of forfeited commutation.

6 **“§ 4161. Computation generally**

7 “(a) Each prisoner convicted of an offense against
8 the United States and confined in a penal or correctional
9 institution for a definite term other than for life, whose
10 record of conduct shows that the prisoner has substan-
11 tially observed all regulations promulgated by the Director
12 of the Bureau of Prisons and has not been subjected to
13 punishment, shall be entitled to a deduction from the term
14 of his sentence imposed beginning with the day on which
15 the sentence commences to run, and including time served
16 in pretrial confinement, as follows:

17 “(1) 5 days for each month of the sentence, if
18 the sentence is not less than 6 months and not more
19 than 1 year.

20 “(2) 6 days for each month of the sentence, if
21 the sentence is more than 1 year and less than 3
22 years.

1 “(3) 7 days for each month of the sentence, if
2 the sentence is not less than 3 years and less than
3 5 years.

4 “(4) 8 days for each month of the sentence, if
5 the sentence is not less than 5 years and less than
6 10 years.

7 “(5) 10 days for each month of the sentence, if
8 the sentence is 10 years of more.

9 “(b) When 2 or more consecutive sentences are to be
10 served, the aggregate of the several sentences shall be the
11 basis upon which the deduction shall be computed.

12 **“§ 4162. Industrial good time**

13 “(a) A prisoner may, in the discretion of the Director
14 of the Bureau of Prisons, be allowed a deduction from that
15 prisoner’s sentence of not to exceed 3 days for each month
16 of actual employment in an industry or camp for the first
17 year or any part thereof, and not to exceed 5 days for
18 each month of any succeeding year or part thereof.

19 “(b) In the discretion of the Director of the Bureau
20 of Prisons such allowance may also be made to a prisoner
21 performing exceptionally meritorious service or performing
22 duties of outstanding importance in connection with insti-
23 tutional operations.

1 “(c) Such allowance shall be in addition to commuta-
2 tion of time for good conduct, and under the same terms
3 and conditions and without regard to length of sentence.

4 **“§ 4163. Discharge**

5 “Except as otherwise provided by law a prisoner shall
6 be released at the expiration of the term of sentence less
7 the time deducted for good conduct. A certificate of such
8 deduction shall be entered on the commitment by the War-
9 den or keeper. If such release date falls upon a Saturday,
10 a Sunday, or on a Monday which is a legal holiday at the
11 place of confinement, the prisoner may be released at the
12 discretion of the warden or keeper on the preceding Fri-
13 day. If such release date falls on a holiday which falls
14 other than on a Saturday, Sunday, or Monday, the pris-
15 oner may be released at the discretion of the warden or
16 keeper on the day preceding the holiday.

17 **“§ 4164. Forfeiture for offense**

18 “If during the term of imprisonment a prisoner com-
19 mits any offense or violates the regulations promulgated
20 by the Director of the Bureau of Prisons, all or any part
21 of his earned good time may be forfeited.

22 **“§ 4165. Restoration of forfeited commutation**

23 “The Director of the Bureau of Prisons shall by regu-
24 lation provide for the criteria for and means of restoration
25 of any forfeited or lost good time or portion.”.

1 (b) CLERICAL AMENDMENT.—The table of chapters
 2 for part III of title 18, United States Code, is amended
 3 by striking the item relating to chapter 309 and inserting
 4 the following:

“309. Good time allowances 4161”.

5 (c) CONFORMING REPEAL AND CROSS REFERENCE
 6 CHANGE.—Section 3624 of title 18, United States Code,
 7 is amended—

8 (1) by striking subsection (b); and

9 (2) in subsection (a), by striking “subsection
 10 (b)” and inserting “chapter 309”.

11 (d) APPLICATION OF AMENDMENTS.—This Act and
 12 the amendments made by this Act shall apply with respect
 13 to—

14 (1) all prisoners, other than those to whom the
 15 former system of the former chapter 309 of title 18
 16 applies, as of the date of the enactment of this Act;
 17 and

18 (2) all periods of imprisonment of the prisoners
 19 to whom it applies that occur after the date of that
 20 enactment.

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